

REMARKS

The Final Office Action dated February 13, 2006 has been carefully considered. Claims 1 and 3-9 are pending in the application, with claims 4 and 5 being withdrawn from consideration and claim 1 being the only independent claim. Reconsideration of the application in view of the following remarks is respectfully requested.

Claim 1 and 3-9 stand rejected under 35 U.S.C. §112, first paragraph, because the Examiner alleges that the wording "a tension ring which loads the sealing body against the base of the sealing groove without loading the sealing body against the shaft" in claim 1 introduces new matter. Applicant respectfully submits this wording does not introduce new matter because it is supported by the original disclosure. In particular, the wording "a tension ring which loads the sealing body against the base of the sealing groove" is explicitly supported by Fig. 2 (element 33), paragraph [0021] of the specification as filed and original claim 2. The wording "without loading the sealing body against the shaft" is also supported by the original disclosure (see, e.g., Fig. 2, paragraph [0021] of the specification as filed and original claim 2). The tension ring does not load the sealing body against the shaft because the base 25 of the sealing groove 27 is opposite to the motor shaft 7, and the tension ring 33 is disposed between the base 25 of the sealing groove 27 and the split motor shaft 7. The motor shaft 7 is shown in Fig. 1 and discussed, for example, in paragraph [0021] of the specification as filed. The split tension ring 33 can expand outward but the cross-section of the wire, which forms the ring, remains the same. Therefore, when the split tension ring 33 expands outward to load the sealing body 23 against the base 25 of the sealing groove 27 (in a direction indicated by the arrow in Fig. 2), the tension ring 33 does not, and cannot, load the sealing body 23 against the motor shaft 7 which is disposed in the opposite direction of the arrow.

In view of the foregoing, withdrawal of the rejection of claims 1 and 3-9 under §112, first paragraph, is respectfully requested.

Claim 1 stands rejected under 35 U.S.C. §102(b) as anticipated by U.S. Patent No. 5,265,890 (Balsells). However, Balsells does not disclose, either expressly or inherently, each and every element as set forth in claim 1. In particular, Balsells does not disclose a tension ring that loads a sealing body against a base of a sealing groove without loading the sealing body against a shaft. Balsells discloses a spring assembly that is suitable for dynamic applications. Col. 4, lines 47-49. Fig. 4d of Balsells shows a spring assembly 126 mounted in a housing 128 for sealing against a shaft 130. The spring assembly 126 has a resilient member 132, a groove 140 in the resilient member 132, and a spring ring 136 covered by an elastic material 138 and positioned in the groove 140. The spring ring 136 loads the upper portion of the resilient member 132 against the housing 128 and also loads the lower portion of the resilient member 132 against the shaft 130 at the same time. See col. 5, lines 4-12; Fig. 4d. Thus, in Balsells, the spring ring or tension ring 136 loads the resilient member 132 against the shaft 130. In sharp contrast, claim 1 of the present application recites a tension ring which loads a sealing body against a base of a sealing groove without loading the sealing body against a shaft. This feature allows a more powerful tension ring to be used, if necessary, to load the sealing body against the base of the sealing groove, without increasing the load between the sealing body and the shaft. Balsells clearly does not teach or suggest this feature.

In view of the foregoing, withdrawal of the §102(b) rejection of claim 1 is respectfully requested.

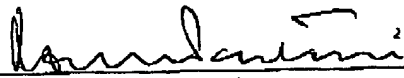
Dependent claims 3 and 6-9 are patentable for at least the same reasons that independent claim 1 is patentable, as well as for the additional limitations recited therein.

In view of the foregoing, applicant respectfully submits that the application is in condition for allowance, and such action is respectfully requested.

It is believed that no fees or charges are required at this time in connection with the application; however, if any fees or charges are required at this time, they may be charged to our Patent and Trademark Office Deposit Account No. 03-2412.

Respectfully submitted,

COHEN, PONTANI, LIEBERMAN & PAVANE

By 
Thomas C. Pontani
Reg. No. 29,763
551 Fifth Avenue, Suite 1210
New York, New York 10176
(212) 687-2770

Dated: April 18, 2006